

Notice of Allowability

Application No.

09/876,977

Examiner

Antonio A Caschera

Applicant(s)

WENZEL ET AL.

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed, 11/12/2004.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☒ The drawings filed on 08 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>09/27/2004</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for domestic priority under 35 U.S.C. 119(e).

Response to Arguments

2. Applicant's arguments, see pages 4-10 of Appeal Brief, filed 11/12/2004, with respect to independent claims 1, 23 and 34 have been fully considered and are persuasive. The 35 USC 103(a) rejection of claims 1-3, 12, 23, 24, 31, 34 and 35 has been withdrawn.

Allowable Subject Matter

3. Claims 1-38 are allowed.

The following is an examiner's statement of reasons for allowance:

In reference to claims 1, 23 and 34, the prior art of record (Nair et al. (U.S. Patent 6,219,452 B1), Wenzel et al. (U.S. Patent 6,222,940 B1), Herken et al. (U.S. Patent 6,529,193 B1), Ninomiya et al. (U.S. Patent 5,790,442), Wenzel et al. (EP 1018708A2), Davies et al. "Low-Discrepancy Sequences for Volume Properties in Solid Modeling," and Dobkin et al. "Computing The Discrepancy With Applications To Supersampling Patterns.") does not explicitly disclose a method for generating a curve in a region, creating an unbounded Low Discrepancy Point, and applying boundary conditions to the point to produce a curve defined as a Low Discrepancy sequence in combination with the further limitations of claims 1, 23 and 34.

Art Unit: 2676

In reference to claims 2-19, 24-33 and 35-38, claims 2-19, 24-33 and 35-38 are dependent upon claims 1, 23 and 34 respectively and therefore are also deemed allowable.

In reference to claims 20 and 22, the prior art of record (Nair et al. (U.S. Patent 6,219,452 B1), Wenzel et al. (U.S. Patent 6,222,940 B1), Herken et al. (U.S. Patent 6,529,193 B1), Ninomiya et al. (U.S. Patent 5,790,442), Wenzel et al. (EP 1018708A2), Davies et al. "Low-Discrepancy Sequences for Volume Properties in Solid Modeling," and Dobkin et al. "Computing The Discrepancy With Applications To Supersampling Patterns.") does not explicitly disclose generating a curve in a region applying boundary conditions to one or more terms of an unbounded Low Discrepancy Point in response to incrementing to generate a bounded Low Discrepancy Point wherein the bounded Low Discrepancy Point is located within the region, in combination with the further limitations of claims 20 and 22.

In reference to claim 21, claim 21 is dependent upon claim 20 and therefore is also deemed allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (571) 272-7781.

Art Unit: 2676

The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (571) 272-7778.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

aac

3/7/05